

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RENARDO ROBERTSON, et al.,

Plaintiffs,

v.

CATHOLIC COMMUNITY SERVICES OF  
WESTERN WASHINGTON,

Defendant.

CASE NO. C19-1618 RSM

ORDER

This case is before the Court on two interconnected issues. First Plaintiffs'<sup>1</sup> counsel, Ms. Teravainen, seeks to withdraw as attorney of record for Plaintiff in this case. Dkt. #41. Plaintiff, Mr. Robertson, filed several "responses" to the motion. Dkts. #42, #43, #45.<sup>2</sup> In part to allow

<sup>1</sup> Both Renardo Robertson and Donna Robertson, his wife, are named as plaintiffs in this action. However, Ms. Robertson appears to have been included merely to account for any possible community property issues. The Court therefore uses the singular in this order.

<sup>2</sup> Mr. Robertson's filings appear largely duplicative. Mr. Robertson's first filing was unsigned. Dkt. #42. His second filing, several days later, was a slightly altered and signed copy of his first, attaching an addendum and some medical records. Dkt. #43. Mr. Robertson's third filing appears to be a copy of his second, with non-substantive markings and without the medical records included with the second. Dkt. #45. The Court cannot not discern any substantive difference between the second and third filings, though the third is more legible in several places. Accordingly, the Court will focus its attention on Mr. Robertson's second filing, the most complete. To the extent the Court considers Mr. Robertson's third filing, it is only to aid in reading the second filing.

1 Mr. Robertson time to secure new representation, the parties have also filed a stipulation seeking  
2 continuances of looming discovery deadlines. Dkt. #46. Mr. Robertson similarly objects to the  
3 stipulated continuance by way of a pro-se response. Dkt. #47. Having considered the issues, the  
4 Court grants the pending motions as follows.

5 Pursuant to Local Civil Rule 83.2, “no attorney shall withdraw an appearance in any case,  
6 civil or criminal, except by leave of court. Leave of court shall be obtained by filing a motion or  
7 a stipulation and proposed order for withdrawal.” LCR 83.2(b)(1).<sup>3</sup> “When ruling on motions  
8 to withdraw, courts consider: (1) the reasons why withdrawal is sought; (2) the prejudice  
9 withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the  
10 administration of justice; and (4) the degree to which withdrawal will delay the resolution of the  
11 case.” *Bernstein v. City of Los Angeles*, No. CV1903349PAGJSX, 2020 WL 4288443, at \*1  
12 (C.D. Cal. Feb. 25, 2020) (internal quotation marks and citations omitted). “The decision to grant  
13 or deny an attorney’s motion to withdraw as counsel is committed to the sound discretion of the  
14 trial court.” *Id.* (citing *LaGrand v. Stewart*, 133 F.3d 1253, 1269 (9th Cir. 1998)).

15 Plaintiff’s motion to withdraw, written by Ms. Teravainen, is short on explanations. The  
16 motion provides simply that her withdrawal will comply with Washington’s Rule of Professional  
17 Conduct guiding attorneys in declining or terminating representations. Dkt. #41 at 1 (citing  
18 WASH. RULES OF PROF’L CONDUCT R. 1.16). The motion otherwise provides that: “Professional  
19 considerations make it appropriate to seek leave to withdraw in this case.” *Id.* This is consistent  
20 with Rule 1.16’s additional guidance. *See* WASH. RULES OF PROF’L CONDUCT R. 1.16. cmt. [3]  
21 (indicating that courts should generally accept a “lawyer’s statement that professional  
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24 <sup>3</sup> The local rule’s exceptions do not apply here. LCR 83.2(b)(2)–(3).

1 considerations require termination of the representation”). Ms. Teravainen indicates that Rule of  
2 Professional Conduct 1.6 constrains her ability to share additional details. *Id.*<sup>4</sup>

3 For his part, Mr. Robertson’s responses detail recent interactions with Ms. Teravainen,  
4 including “red flags” that made him “question Ms. Teravainen’s litigation experience in  
5 employment law.” Dkt. #43 at 2. Mr. Robertson complains of how Mr. Teravainen has pursued  
6 the case, indicates his belief that Ms. Teravainen has lied to the Court “in order to withdraw,”  
7 and generally details his displeasure with the progress of this case. *Id.* at 5–7. Mr. Robertson  
8 does not clearly indicate that he would like Ms. Teravainen’s representation to continue.<sup>5</sup>

9 The Court finds that Ms. Teravainen should be granted leave to withdraw. The relevant  
10 filings make clear that ongoing disputes persist between Plaintiff and his counsel. Defendant  
11 does not claim that the withdrawal will prejudice it in any way. Perhaps most importantly, Ms.  
12 Teravainen has taken steps to protect Mr. Robertson’s interests. *See* WASH. RULES OF PROF’L  
13 CONDUCT R. 1.16(b)(1) (allowing withdrawal if it “can be accomplished without material adverse  
14 effect on the interests of the client”). As noted previously, discovery deadlines are approaching.  
15 *See* Dkt. #10 (setting an August 14, 2020, deadline for discovery motions and requiring discovery  
16 be completed by September 14, 2020). Not yet terminated as counsel of record, Ms. Teravainen  
17 has made continuing efforts to resolve ongoing discovery disputes with Defendant. Still, delay  
18 will result. As a general matter, the Court is disinclined to allow withdrawal within sixty days  
19 before the close of discovery. *C.f.* LCR 83.2(b)(1) (noting that attorneys “will ordinarily be  
20 permitted to withdraw until sixty days before the discovery cutoff date in a civil case”). However,

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23 <sup>4</sup> Ms. Teravainen provides further factual background by way of a declaration filed with  
Plaintiff’s Reply. *See* Dkt. #44-1 (detailing some ongoing interactions).

24 <sup>5</sup> In fact, Mr. Robertson appears to indicate that he plans to secure new counsel. Dkt. #47 at 2.

1 these concerns have been mitigated by the parties' subsequent stipulation to continue the trial  
2 date and unexpired pre-trial deadlines. *See* Dkt. #46.<sup>6</sup>

3 Accordingly, and having considered the motions, the related briefing, and the remainder  
4 of the record, the Court finds good cause to continue this matter and to allow withdrawal of  
5 counsel and hereby ORDERS:

6 1. Plaintiffs' Motion for Leave to Withdraw as Counsel for Plaintiffs (Dkt. #41) is  
7 GRANTED and Ms. Teravainen shall be terminated as counsel of record in this case.

8 2. Plaintiffs are now proceeding pro se in this matter unless or until new counsel makes an  
9 appearance on their behalf. Plaintiffs are advised to familiarize themselves with the  
10 Federal Rules of Civil Procedure and this Court's Local Rules. The Court's Local Rules  
11 can be found online at [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov) under the heading "Local Rules &  
12 General Orders," found on the left side of the Court's homepage. Plaintiffs are  
13 responsible for complying with applicable Court orders and deadlines in this matter.

14 3. The Clerk shall update Plaintiffs' contact information on the docket and mail a copy of  
15 this Order to:

16 Renardo and Donna Robertson  
17 8514 66th Pl. NE  
18 Marysville, WA 98270  
(425) 737-5465  
renardorobertson@yahoo.com

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22 <sup>6</sup> The Court notes that Mr. Robertson has objected to the stipulated motion. Dkt. #47. However,  
23 the Court is not permitted to consider his objection given that Ms. Teravainen still serves as  
24 counsel of record. *See* Local Civil Rule 83.2(b)(4). Regardless, nothing in the objection alters  
the fact that withdrawal is appropriate and that a continuance will be required to allow new  
counsel to become familiar with the case.

4. Unless and until new counsel makes an appearance on Plaintiffs' behalf or provide the Court updated contact information, all future filings in this case shall be served on them at the above address.

5. The Joint Stipulated Motion to Continue Trial Date and to Amend Case Schedule (Dkt. #46) is GRANTED. Trial is continued and all unexpired pre-trial deadlines are reset as follows:

<b>Jury Trial Date</b>		<b>07/12/2021</b>
<b>Activity</b>	<b>Current Deadline</b>	<b>New Deadline</b>
Deadline for Filing Discovery Motions	08/14/2020	02/15/2021
Discovery Cut Off	09/14/2020	03/15/2021
Dispositive motions filing deadline	10/13/2020	04/13/2021
Deadline to hold mediation	11/27/2020	05/27/2021
Deadline for Motions in Limine noted for 3rd Friday thereafter	12/14/2020	06/14/2021
Agreed Pretrial Order	12/30/2020	06/30/2021
Pretrial conference to be scheduled by the Court		
Trial Briefs, prop voir dire, jury instructions, neutral statement of the case, and trial exhibits due	01/06/2021	07/06/2021

Dated this 12<sup>th</sup> day of August, 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE